

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM PAPE and NANCY E. PAPE,
Individually and as natural
guardians of REBECCA PAPE, and
REBECCA PAPE

Plaintiffs,

-against-

**REPLY AND ANSWER TO
AFFIRMATIVE DEFENSES
AND COUNTER-CLAIMS
IN ANSWER TO
AMENDED COMPLAINT**

Case No. 07cv8828 (KMK)

**THE BOARD OF EDUCATION OF THE WAPPINGERS
CENTRAL SCHOOL DISTRICT; WAYNE GERSEN,**
Individually and as Superintendent
of the Wappingers Central School District,
and **JOSEPH CORRIGAN,** Individually and as
Assistant Superintendent for
Administration of the Wappingers
Central School District,

Hon. Kenneth M. Karas

Defendants.

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Plaintiffs, William Pape and Nancy Pape, individually
and as natural guardians of Rebecca Pape and Rebecca Pape,
replying to the and answering Defendants affirmative defenses
and counter-claims in their Answer to the Amended Complaint
herein by their attorney, Ben M. Arai, Esq.,
alleges as follows:

68. Deny the allegations contained in paragraph 68 in
defendants' first affirmative defense in paragraph 68 in
defendants' Answer.

69. Plaintiffs are without knowledge or information sufficient to form a belief as to the truth of defendants' second affirmative defense in paragraph 69 in defendants' Answer.

70. Plaintiffs are without knowledge or information sufficient to form a belief as to the truth of defendants' third affirmative defense in paragraph 70 in defendants' Answer.

71. Plaintiffs are without knowledge or information sufficient to form a belief as to the truth of defendants' fourth affirmative defense in paragraph 71 in defendants' Answer.

72. Plaintiffs are without knowledge or information sufficient to form a belief as to the truth of defendants' fifth affirmative defense in paragraph 72 in defendants' Answer.

73. Plaintiffs deny the allegations contained in defendants' sixth affirmative defense in paragraph 73 in

defendants' Answer.

74. Plaintiffs deny the allegations contained in defendants' seventh affirmative defense in paragraph 74 in defendants' Answer.

75. Plaintiffs deny the allegations contained in defendants' eighth affirmative defense in paragraph 75 in defendants' Answer.

76. Plaintiffs deny the allegations contained in defendants' ninth affirmative defense in paragraph 76 in defendants' Answer.

77. Plaintiffs deny the allegations contained in defendants' tenth affirmative defense in paragraph 77 in defendants' Answer.

78. Plaintiffs deny the allegations contained in defendants' eleventh affirmative defense in paragraph 78 in defendants' Answer.

79. Plaintiffs deny the allegations contained in defendants' twelfth affirmative defense in paragraph 79 in

defendants' Answer.

80. Plaintiffs admit that defendants Gersen and Corrigan cannot be sued for monetary damages under the IDEA and that Section 504 and the ADA do not allow for punitive damages, but deny the remaining allegations contained in defendants' thirteenth affirmative defense in paragraph 80 in defendants' Answer.

81. Plaintiffs deny the allegations contained in defendants' fourteenth affirmative defense in paragraph 81 in defendants' Answer.

82. Plaintiffs deny the allegations contained in defendants' first counter-claim in paragraph 82 in defendants' Answer.

83. Plaintiffs are without knowledge or information sufficient to form a belief as to the truth of defendants' second counter-claim in paragraph 83 of defendants' Answer.

84. Plaintiffs deny the allegations contained in paragraph 84 in defendants' prayer for relief in defendants' Answer.

Dated: Bronx, New York
April 22, 2008

Respectfully submitted,



Ben M. Arai (BA-1969)

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TO:

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